

Affidavit of Publication

Nº 10129

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7738

FULTZ, WILLIAM &/or

CAROL
RT. 3, BUHL, ID 83316

Source:
GROUNDWATER tribu-
tary to SINKS

Date Filed: 05/15/1981

Amount: 0.08 CFS

Diversion Point: NESW
Sec 33 T 09S R 14E, TWIN
FALLS Co.

Use: IRRIGATION (0.02

CFS) from 03/15 to 11/15

DOMESTIC (0.08 CFS)

from 01/01 to 12/31

Place of Use: NESW Sec

33 T 09S R 14E FOR 1

ACRES

Diversion Means: WELL

& PUMP

I, Rinda Capps McSaur being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated June 4, 1981, and ending with the issue dated June 11, 1981.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this Rinda Capps McSaur 11 day of June, 1981.

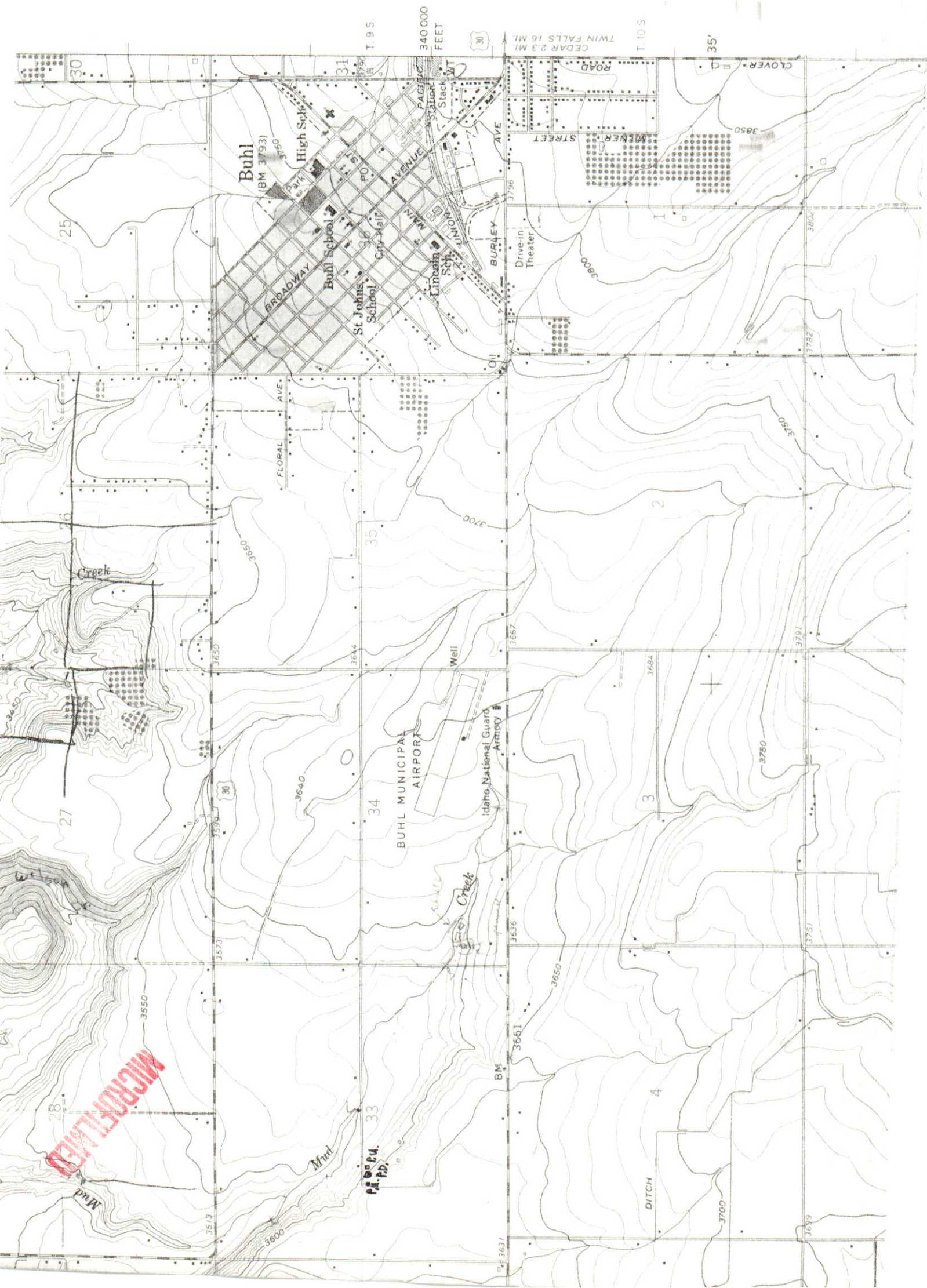
Melba Rowlett Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Department of Water Resources
Southern District Office

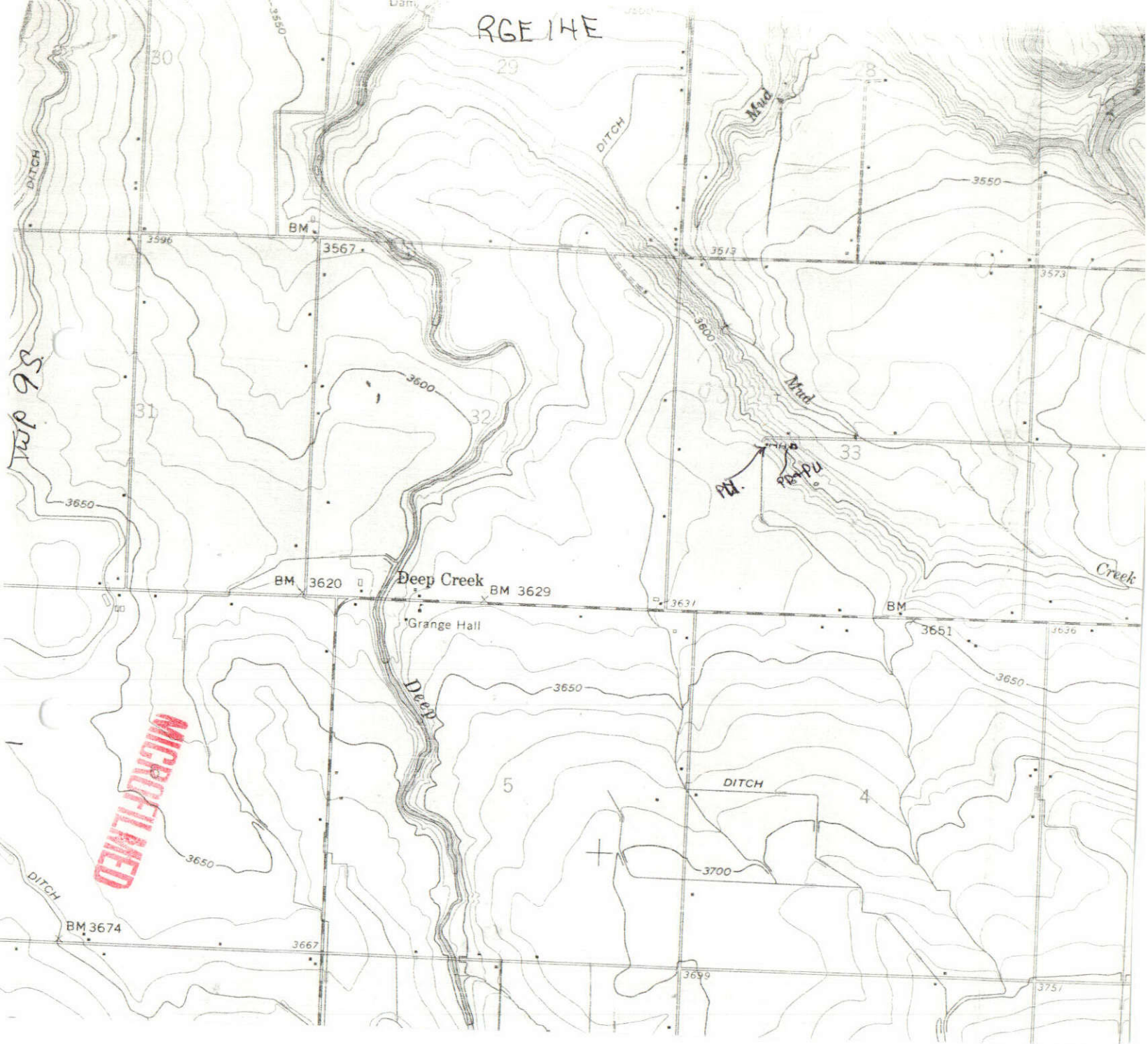
JUN 17 1981

ok
mayo

RECEIVED



RGE 14E



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7738 Priority May 15, 1981 Amount 0.08 cfs

THIS IS TO CERTIFY, that William &/or Carol Fultz
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 47-7738 issued pursuant to Application for Permit dated May 15, 1981,
and has submitted proof to the Department of Water Resources on August 10, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.08 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u> at <u>0.02</u> cfs and	<u>4.0</u> acre feet	
<u>Domestic</u> <u>(2 units)</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.06</u> cfs and	<u>1.2</u> acre feet	
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
5.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Twp.
9S, Rge. 14E in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	14E	33									X				1				1

Total number of acres irrigated 1

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.0 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 81.

Acting for the

Director

Norman C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant William &/or Carol Fultz Phone 543-4854

Post office address Route #3, Buhl, ID 83316

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 9S

Range 14E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06cfs for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02cfs for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 9S

Range 14E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water two.

Water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	14E	33									1								1

Total number of acres to be irrigated 1

c. Describe any other water rights used for the same purposes as described above.

Twin Falls Canal Co. shares

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

7/24/2014

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

[illegible]

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

CONFIDENTIAL

Wm F. Smith
(Applicant)

Proposed Priority 5/15/81
Received by J Date 5-5-81 Time 11:10 AM
Preliminary check by TGB Fee \$ 30.00
Receipted by maria Date 5/15/81 # 18610
Publication prepared by maria Date 5/24/81
Published in sunrise news
Publication dates 4/4 & 4/11/81
Publication approved maria Date 4/4/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADM [Signature]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7738, and said application is hereby approved.

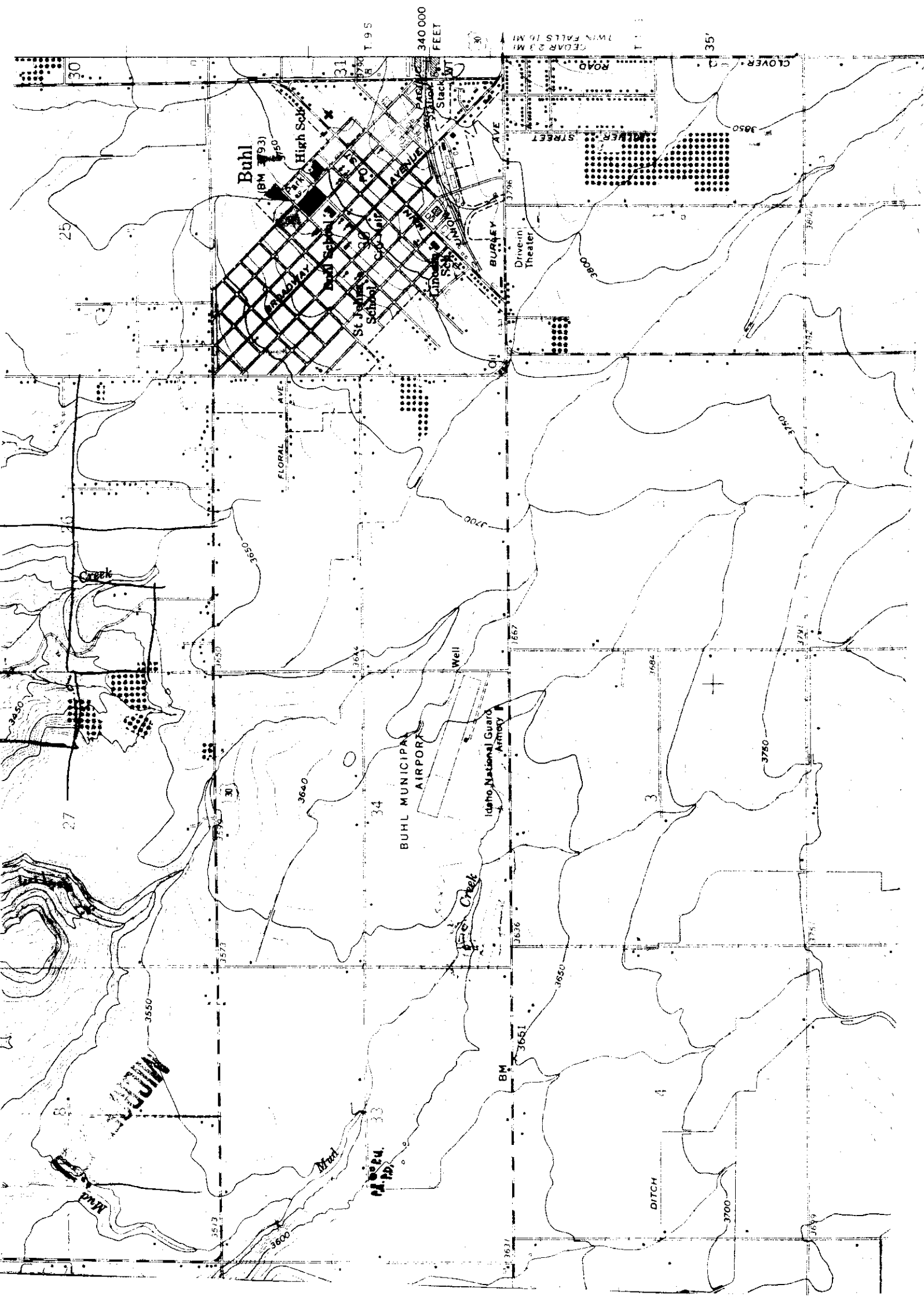
1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 82.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this 13th day of July, 1981.

[Signature]
Administrator, Resources Admin. Div.

RECEIVED



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CAROL
RT. 3, BUHL, ID 83316
S O U R C E :
GROUNDWATER tribu-
tary to SINKS
Date Filed: 05/15/1981
Amount: 0.05 CFS
Diversion Point: NESW
Sec 33 T 08S R 14E, TWIN
FALLS Co.
Use: IRRIGATION (0.02
CFS) from 03/15 to 11/15
DOMESTIC (0.03 CFS)
from 01/01 to 12/31
Place of Use: NESW 1/4
33 T 08S R 14E FOR 1
ACRES
Diversion Means: WELL
& PUMP

I, Rinda Capps McBaine being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated

June 4, 1981, and ending with the issue dated June 11, 1981.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Rinda Capps McBaine
Subscribed and sworn to before me on this 11 day of

June, 1981

Melba Rowlett Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Subscribed and sworn to before me on this 11 day of June, 1981
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 2, 1981

RE: Permit No. 47-7738

William &/or Carol Fultz
Route #3
Buhl, ID 83316

Dear Mr. and Mrs. Fultz:

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

MAILED
DEC 15 1981

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

47-7738
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	<u>9-19-81</u>		
☒ Telephone call made: (List Telephone No. used)	<u>10-7-81</u>	<u>TGB</u>	<u>543-4854</u>
☒ Appointment scheduled for: (Date, time, location)	<u>10-9-81</u>	<u>TGB</u>	<u>2 3/4 mi West of Buhl on</u> <u>1/2 mile Road. House under construction</u> <u>After 2:30</u>

EXAMINATION

Date 10-9-81 Accompanied by Carol Fultz Total Q measured N/A
If source is surface water, estimate total flow of source N/A
Methods of measurement N/A Meets Permit requirements? N/A

Measurement calculations:
Q Allowed for 2 domestic uses with Lawnt Gardens 0.08 cfs ^{other} No Irrigation from well
 $V = 2.4 \text{ AFA}$ allowed for two domestic uses allow 0.06 Domestic
 $V = .6 \text{ AFA per domestic} = 1.2 \text{ AFA}$ 0.02 Irrigation per permit
2 units 0.08 cfs Jan

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	<u>3/4</u>	<u>GE</u>	<u>5K249E8508K</u>	<u>Myers</u>	<u>P15252</u>	<u>N/A</u>	<u>N/A</u>	

System Description Well, motor & Pump to Pressure tank located in Fultz house
Pumps to House on hill directly to the west

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = Q (cfs)	V (afa)	AFA/Acre FROM	TO
<u>Domestic</u>	<u>0.06</u> ✓	<u>1.2</u> ✓	<u>Jan 1</u>	<u>Dec 31</u>
<u>IRRIGATION</u>	<u>0.02</u>	<u>2.4 AFA</u> ✓ <u>4.0 AFA</u>	<u>3/15</u>	<u>11/15</u>
		<u>5.2</u>		
Total	<u>0.08</u>	<u>2.4 AFA</u>		

Remarks

Overlapping rights
AFA = 0.02 X 19935 X 2.45 = 9.7 AFA use 4.0 AFA per
handbook

Jan 11/7/81

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp 9S. Rge 14E

Place(s) of Use

TWP.	RGE.	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	14E	33																	1

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Examiner's Signature Terry S. Blau

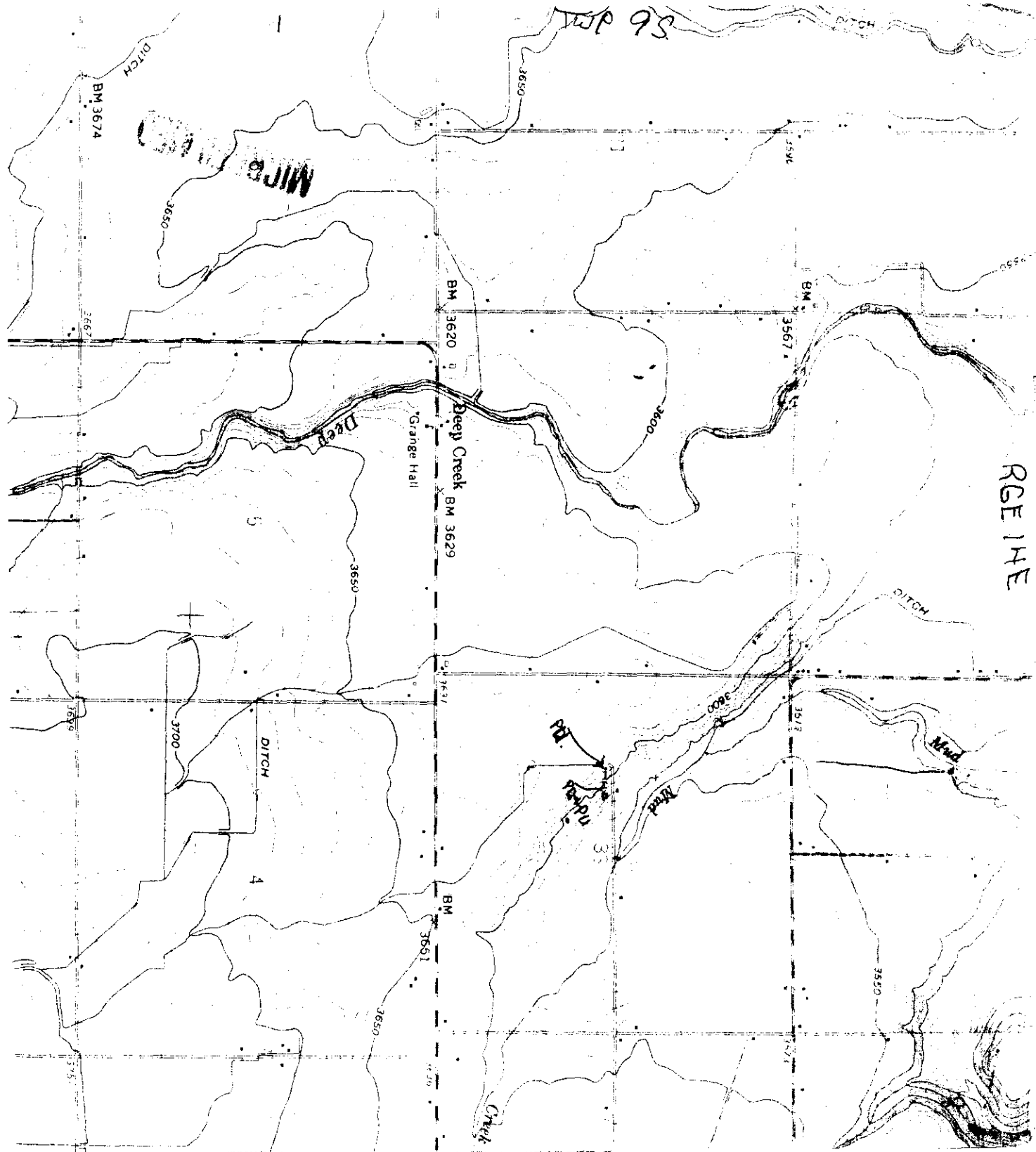
Checked by J. C. Stanton

Approved by T. Blau

Date 10-22-81

Date 10-23-81

Date 11/4/81





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 19, 1981

William &/or Carol Fultz
Rt. 3
Buhl, Idaho 83316

Re: Permit No. 47-7738

Dear Mr. & Mrs. Fultz:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

RECEIVED

DEADLINE

AUG 6 1981

Idaho Department of Water Resources
Southern District Office

RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

AUG 10 1981

RECEIVED

PLACE
TEN CENT
STAMP
HERE

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7738.

Name(s) of Permit Holder: William &/or Carol Fultz

Post Office Address: Route #3, Buhl, ID

Tel. No. 543-4854

Source of Water: Groundwater

Extent of Use:

☒ Domestic	<u>2</u>	(number of households)
☐ Stockwater		(number and type of stock)
☒ Irrigation	<u>1</u>	(acres)
☐ Other		

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

Aug 6, 1981
Date

Carol Fultz
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FULTZ, WILLIAM & CAROL
RT. 3
BUHL, ID 83316

JULY 21, 1981

RE: PERMIT NO. 47-7738

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

ENCLOSURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

May 28, 1981

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7738

Dear Mr. Schaefer:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

RECEIVED
MAY 29 1981

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

42-2238-

FULTZ, WILLIAM &/or CAROL

RT. 3, BUHL, ID 83316

Source: GROUNDWATER tributary to SINKS

Date Filed: 05/15/1981

Amount: 0.08 CFS

Diversion Point: NESW Sec 33 T 09S R 14E, TWIN FALLS Co.

Use: IRRIGATION (0.02 CFS) from 03/15 to 11/15
DOMESTIC (0.06 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 33 T 09S R 14E FOR 1 ACRES

Diversion Means: WELL & PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JUNE 22, 1981.

A. KENNETH DUNN

Director

Published 6/4 & 6/11/81.

18432 pgl
RIGHTS/RESOURCES not
014.8 IN 08:57
Legal Notice to start
Thursday, June 4, 1981.

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DOMESTIC (0.06 CFS)
from 01/01 to 12/31

Place of Use: NESW Sec
33 T 09S R 14E FOR 1
ACRES

Diversion Means: WELL
& PUMP

*ok
maceja
6/4/81*

ok

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 27, 1981

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 22, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED
2000-01-01